

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

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03 SEP 29 PM 3:58

U.S. DISTRICT COURT
SOUTHERN DIST OHIO
WEST DIV CINCINNATI

WARREN V. TINCH,
Petitioner,

vs.

Case No. C-1-01-162
(Beckwith, J.; Sherman, M.J.)

HARRY RUSSELL,
Respondent.

REQUEST FOR TEN DAY EXTENSION OF TIME
TO FILE OBJECTION TO MAGISTRATE'S
REPORT AND RECOMMENDATION'S

This Court has graciously granted two previous requests for extension's of time to the Petitioner for extension's to file objections to the Magistrate's Recommendation. These extensions were requested mandated by Prison procedures beyond the Petitioner's control.

Petitioner now must again request a Ten day extension due to an unforeseen delay caused by the inability to have copies made of Case Law needed to construct viable objections to the Magistrate's Recommendations. This Petitioner had visited the Law Library at Le. C. I. and ordered copies of Case Law that would empower legal objections, however, due to delay in obtaining the law copies from the Law Library until 9/26/03 forces the Petitioner to request this Ten day extension. Petitioner feels he placed his order in ample time to file by the

9/23/03 deadline made on 9-03-03 by Judge Beckwith. This delay in obtaining copies has never occurred before and is therefore beyond the Petitioner's control.

Petitioner is scheduled to pick-up his copies at 2:30 P.M. on 9/26/03 and being free to work on legal matters over the weekend will have his objections in the Prison Mail Room by 10/03/03 with a copy of a pass to pick-up copies on 9/26-03 issued by the Le. C. I. Law Librarian as reason for ~~this~~ request for extension of time.

This Court's consideration in this matter will be greatly appreciated and is in no way meant to delay the Court's Process.

Respectfully submitted,



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C E R T I F I C A T I O N

This is to certify that a true copy of the foregoing was sent to Thelma Thomas Price, Assistant Attorney General, 140 East Town Street, Columbus, Ohio 43215-6001 on this 23rd day of September, 2003 by First Class U. S. Mail.



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